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C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 000491

SIPDIS

FOR EAP/MTS AND G/TIP

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TAGS: [PREL](#) [PHUM](#) [ELAB](#) [KTIP](#) [MY](#)  
SUBJECT: MALAYSIA'S INITIAL REACTION TO TIP REPORT, TIER 3  
DESIGNATION

REF: STATE 61158

Classified By: Political Counselor Mark D. Clark for reasons 1.4 b and d.

Summary

1. (C) Post provided advance notification on June 16 to senior Malaysian officials regarding the 2009 U.S. TIP report's narrative on Malaysia and Malaysia's designation as a Tier 3 country. Initial Malaysian media reaction on June 17 consisted primarily of on-line news sources posting international wire reports that gave prominent mention of Malaysia's "blacklisting" in the U.S. report. The Ambassador conducted a telephone interview with local journalists that produced quick and accurate on-line reporting emphasizing the need for law enforcement actions. The Malaysian government reaction to the TIP report emerged slowly on June 17. The Home Minister's office consulted with Polcouns prior to the Minister's press conference late on June 17. Home Minister Hishammuddin told reporters late on June 17 that he would seek clarification from Embassy officials regarding the reasons for listing Malaysia as Tier 3, and take appropriate actions ("we will do whatever it takes"), while also downplaying the U.S. criticism. Opposition politicians took the Malaysian government to task over Malaysia's Tier 3 ranking. End Summary.

Advance Notification

2. (C) On June 16, Post provided advance notification to the Malaysian government of the 2009 U.S. TIP report's narrative on Malaysia and Malaysia's designation as a Tier 3 country. The Ambassador (calling from the U.S.) spoke with Women's Minister Shahrizat Abdul Jalil (who was in Geneva). Charge briefed Foreign Ministry Deputy Secretary General I Radzi Abdul Rahman and Special Officer to the Prime Minister Kamal Yan Yahya. Polcouns spoke with the Home Ministry's TIP Secretariat. The Embassy provided written materials later on June 16 to the Minister and senior officials. The Embassy's conversations emphasized the high priority the U.S. attaches to efforts to combat TIP; the particular need for Malaysia to address labor trafficking and allegations of refugee trafficking under Malaysia's own anti-trafficking law; Malaysia's achievements to dates with prosecutions and shelters; and the desire to work in a spirit of partnership to combat TIP. Minister Shahrizat endorsed a cooperative U.S.-Malaysia approach to the trafficking issue. The Foreign Ministry and PM's Office appreciated the advanced notification, but did not respond substantively.

Media Reaction; Ambassador's Interview

3. (SBU) Initial Malaysian media reaction on June 17

consisted primarily of on-line news sources posting various international wire reports that gave prominent mention of Malaysia's Tier 3 status. Many of the stories used the term "blacklisting" for Malaysia's downgrade to Tier 3. The June 17 print media carried very little coverage in morning editions due to timing of the release in Washington hours before the print run. The Ambassador conducted a telephone interview with three Malaysian journalists on June 17. The Ambassador highlighted the international scope of trafficking crimes, the Secretary's strong commitment to combating TIP, and key points from the Malaysia narrative to include the need for law enforcement actions against labor trafficking and investigation of reports of refugee trafficking. The Ambassador acknowledged Malaysia's progress in implementing the 2007 TIP law, including the establishment of shelters by the Women's Ministry, and expressed U.S. desire to partner with Malaysia to stop TIP crimes. On-line news portal Malaysiakini carried a report from the interview focused on the Ambassador's comments urging law enforcement actions and partnership.

#### Government Reaction Led by Home Ministry

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14. (C) The Malaysian government reaction to the TIP report emerged slowly on June 17. Poloff and Pol Specialist found few ruling National Front (BN) coalition Members of Parliament initially aware of the U.S. report. Speaking outside Parliament chambers and apparently responding to initial press headlines, Deputy Home Minister Abu Seman Yusop told reporters, "it is unfair to put us back on the list as we are doing are best," and made further comments that did

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not differentiate between human trafficking and human smuggling. In preparation for a news conference, the office of Home Minister Hishammuddin Hussein reached out to Polcouns for further background on the TIP report and Tier ranking. A special officer for the Minister emphasized the Minister's desire to take meaningful actions and cooperate with the Embassy. The Home Minister held a press conference late on June 17, in which he said he would seek clarification from Embassy officials regarding the reasons for listing Malaysia as Tier 3, and take actions to address such criticism. "We will do whatever it takes, whatever possible, but of course there are limitations," he told reporters. Hishammuddin also downplayed criticism in the U.S. report and the threat of sanctions. National television stations broadcast portions of the Minister's remarks.

#### Opposition Takes Up Issue

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15. (SBU) Opposition politicians criticized the Malaysian government over Malaysia's Tier 3 ranking. Opposition MP Tian Chua held a small press conference at Parliament and called on the GOM not to be in "denial mode" and to "redouble efforts" to avoid blacklisting. The opposition Democratic Action Party (DAP) plans to hold a press conference on June 18 on TIP and the U.S. report. Several MPs told Poloff and Pol Specialist of plans to introduce emergency motions in Parliament regarding the TIP issue (which can serve to draw attention to issues but have no chance of passing under the block voting practices in Parliament).

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